

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOE L. WELCH,

Defendant.

)
)
)
)
)
)
)
)

8:15CR11

ORDER

This matter is before the court on the joint motion to continue trial by defendant Joe L. Welch (Welch) (Filing No. 67). Welch seeks a continuance of the trial scheduled for August 31, 2015. Welch's counsel represents Welch will file an affidavit wherein he consents to the motion and acknowledges he understands the additional time may be excludable time for the purposes of the Speedy Trial Act. Welch's counsel represents that government's counsel has no objection to the motion. Upon consideration, the motion will be granted.

IT IS ORDERED:

1. Welch's motion to continue trial (Filing No. 67) is granted.
2. Trial of this matter is re-scheduled for **November 2, 2015**, before Senior Judge Joseph F. Bataillon and a jury. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., the time between **August 26, 2015, and November 2, 2015**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason that counsel require additional time to adequately prepare the case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

DATED this 26th day of August, 2015.

BY THE COURT:

s/ Thomas D. Thalken

United States Magistrate Judge